

1905

SPECIAL NOTICE.

The mass of material required to be handled in the Copyright Office has assumed large proportions. During the calendar year 1904 more than one hundred thousand titles for copyright were received and considered. Out of this number 106,577 actual entries were made. More than eighty-five thousand letters were received, and over one hundred and thirty-three thousand separate pieces of mail matter were sent from the Copyright Office during the year 1904.

One hundred and ninety-two thousand five hundred and twenty-eight articles (books, periodicals, musical compositions, maps, photographs, engravings, etc.) were received, acknowledged, dated, numbered, credited, and *catalogued*, more than one hundred and seventy-four thousand catalogue cards being made for this purpose.

These figures give some idea of the amount of detail work required to be done in the Copyright Office. It is earnestly desired to handle all copyright matter with such care and method that the business intrusted to the office shall be executed with correctness and reasonable dispatch. The clients of the Copyright Office can aid in expediting their copyright business by acquiescing in the following suggestions:

1. Remit only the **EXACT FEE** required by law, as stated in the Fee Circular and "Directions."
2. Send no fees in coin, bills, or postage stamps, but remit, preferably, by money order, express order, or—upon arrangement with the Register of Copyrights—by check.
3. Send no remittance unaccompanied by **TITLE** and proper application for copyright, with a clear statement of the name and address of the remitter, and how it is desired the money should be applied.
4. Send *no* remittance, or stamp, or stamped envelope for return postage.
5. Send no article for **DEPOSIT** without marking upon *the article itself* (as well as on the wrapper) the name and address of the sender and of the claimant of copyright.
6. Send no article, such as a photograph, engraving, or chromo, without marking upon it a title or name, and a distinguishing mark or number, if more than one article bears the same title, and the name and address of the sender and of the claimant of copyright.
7. Having complied with the law in sending two copies, *do not make duplicate deposits*. They are useless so far as protecting the copyright is concerned, and considerable time is lost in making the examinations necessary to determine that they are duplicates.
8. Send application, title, fee, and, when possible, the two copies in the same mail. Full protection does not accrue until all the steps have been taken.
9. In case of doubt as to any point connected with the filing of applications for registration, as a preliminary to obtaining copyright, a letter of inquiry may profitably precede the formal application, upon receipt of which the office will be glad to answer any questions asked, and to render any service possible.

During the year 1904 a movement was inaugurated to substitute (1) card certificates, (2) card receipts for copies deposited, and (3) card acknowledgments for fees received, to take the place of the former larger and bulkier forms of these documents. Fifty of the leading publishers have signified their desire to adopt this change, the majority of them desiring to receive all three varieties. For full information in regard to these card forms see pages 25-28 following.

DIRECTIONS FOR REGISTERING COPYRIGHTS.

TO WHOM APPLICATION FOR COPYRIGHT SHOULD BE MADE.

All correspondence regarding copyright business and all articles forwarded in relation to copyright should be addressed: "THE REGISTER OF COPYRIGHTS, COPYRIGHT OFFICE, LIBRARY OF CONGRESS, WASHINGTON, D. C."

Address Register of Copyrights.

Please do not send any stamps or stamped envelopes for return postage, as all mail matter sent from the Copyright Office, addressed to any part of the United States (including Alaska, the Philippines, and Hawaii), Canada, and Mexico, is carried without postage under Government frank. Also, please do not send any remittance to pay for blanks or circulars of any kind, as they are furnished without charge upon request.

Do not send return postage.

Send no money for circulars, etc.

APPLICATION FOR COPYRIGHT REGISTRATION.

It is highly desirable that each application for copyright entry shall be so made that the law is strictly complied with, so that no question can arise as to the validity of the entry recorded. Also, that the application shall be in such a form that the Copyright Office can, upon its receipt, promptly make the entries desired, and thus avoid delay through the necessity for correspondence.

Application for copyright.

To aid in accomplishing this, the Copyright Office prepares application forms, which should be used in all cases in accordance with the directions for filling them up, printed on the blanks. The forms will be furnished upon request. The forms are made as simple as the law will allow, and it is desirable that all the information asked for shall be supplied.^a The following information called for in the blanks *is necessary, and without it no entry of title can be made:*

Application forms.

1. The application must state the *nature* of the article for which copyright is desired—i. e., whether it is a book, periodical, map, drama, musical composition, engraving, photograph, lithograph, chromo, or a painting, drawing, or statuary. The classes of articles named in the copyright statutes as subject to copyright are printed on the application blanks and no article can be registered in the Copyright Office which can not be classed

Application must state nature of article.

Articles subject to copyright.

^a See pages 8 and 9 for wording of the application forms.

- under one or the other designation used in the law to indicate the articles subject to copyright protection. Indefinite designations, such as "publication," "reproduction," "picture," "work of art," etc., should not be used.
- Chart.** The term "chart" should only be used to indicate some form of map, and not in its ordinary sense in referring to printed matter spread out upon a sheet. Such articles should be described as books. The words "engraving," "cut," and "print" are understood to mean only a work of art, and the articles which they designate are subject to copyright registration in the Copyright Office, Library of Congress, only when they are articles sold or exchanged for their artistic value. The term "print" should not be used to designate something merely printed. The terms "design" and "model" should only be used to designate a distinctly artistic production. If only the words of a song are desired to be protected, the application should be made out for a "book;" if protection is desired for both words and music, application should be made for a "musical composition." Do not apply for entry of a "comedy," a "drama," or a "farce," or use any similar differentiating term, but in all cases use the statutory designation "dramatic composition."
- Engraving, cut, and print.**
- Design and model.**
- Dramatic composition.**
- State that article is printed or made within the United States.**
2. When application is made in the case of a book, photograph, chromo, or lithograph, it is necessary to state that "the two copies of the same required to be delivered or deposited as above, shall be printed from type set within the limits of the United States, or from plates made therefrom, or from negatives, or drawings on stone made within the limits of the United States, or from transfers made therefrom."
- State nationality of author.**
3. It is not necessary to state the name of the author if it is desired to keep the book or other article anonymous, but the *nationality* of the *author* of any literary, dramatic, musical, or artistic work is required in order to determine the fee to be charged, and also to determine whether the article, in the case of a foreign work, is the production of a citizen of some country to the subjects of which country the privilege of copyright in the United States has been extended.
- Author of foreign nativity, but legal resident of United States.**
- In the case of an author who is a native of a foreign country but a *legal or permanent resident* of the United States, that fact should be stated, or the citizenship should be given as of the United States. If the author is of foreign nativity but has declared his intention to become a citizen of the United States, that fact should be stated.
- State name of claimant.**
4. An entry of copyright claim can not be made unless the application for such entry contains a distinct state-

ment in whose name the claim of copyright is to be registered. The Copyright Office can not *infer* from the form of application who is the intended claimant. The application must distinctly state the full name and address of the person who claims to be the proprietor of the copyright. No entry can be made in a fictitious name, such as a nom de plume or pseudonym. The *real* name of the claimant should be stated. Not only does the law require that the real name of the copyright claimant shall be printed in the notice of copyright which it is obligatory to print upon each copy of any article copyrighted, but it also requires that the name of the copyright claimant shall be printed in the catalogue of copyright entries. If an author desires to preserve his anonymity and to avoid putting his name on record, he should arrange to have some other person make the copyright entry in such person's name as "proprietor," under an arrangement with himself as author. Entry may be made in the name of a firm, of a corporation, or trustee, or in two or more names as joint authors or proprietors.

Nom de plume
or pseudonym.
Real name of
claimant must
be stated.

Firm or cor-
poration name
may be used.

5. The blank should be filled up to state whether the copyright is claimed as *author* or as *proprietor* of the work whose title is recorded.

State whether
author or pro-
prietor.

One application form will serve for a number of titles, provided the information called for on pages 1 and 2 of the blank is equally applicable to each title. In case, however, the titles are typewritten on page 3 of blank "A," a space of 1 inch should be left after each title, and no more be put upon each page than will allow this space, which is required for receiving the date and number stamp which pertains to each title.

One applica-
tion will serve
for several titles.

Application form A is to be used only for the following articles: Book; Periodical; Musical composition; Dramatic composition; Map or chart; Engraving, cut, or print; Chromo or lithograph; Photograph.

Application
forms.

Application form B is to be used only for the following productions: Painting; Drawing; Statue; Statuary; Model or design intended to be perfected as a work of the fine arts.

In case of application for renewal of copyright, for the further term of fourteen years, a third form of application (form C), specially designed for this purpose, is furnished by the Copyright Office.

Application forms D and E have been devised for applying for Interim Term copyright, and one year's reservation of copyright respectively. Form D is now obsolete; form E can be supplied on request.

APPLICATION FOR COPYRIGHT REGISTRATION.

FORM

A

FOR WORKS
MULTIPLIED BY
MECHANICAL
MEANS.

Date,

To the Register of Copyrights,
Washington, D. C.:

Inclosed find \$.....cents in money order, which you are requested to apply as follows:

(a) As the statutory fee for recording the accompanying title, \$.....cents.

(b) As the statutory fee for a copy under seal of such record (Certificate), fifty cents.

Please read the following directions with care and fill in the required information with exactness in order to avoid delay in your copyright business.

<p>1. Use only one of these eight designations: A—BOOK (if literary composition, in prose or verse, including newspaper article, magazine contribution, serial story, or single poem); B—PERIODICAL; C—MUSICAL COMPOSITION; D—DRAMATIC COMPOSITION; E—MAP or CHART; F—ENGRAVING, CUT, or PRINT; G—CHROMO or LITHOGRAPH; H—PHOTOGRAPH. DO NOT USE NO OTHER TERMS THAN THE ABOVE.</p>	<p>1. NATURE OF ARTICLE. </p>
<p>2. Write an abbreviation of the accompanying printed title, sufficient to identify the latter. DO NOT One blank will serve for more than one title if the information asked for on pages 1 and 2 of the blank is equally applicable to each title.</p>	<p>2. TITLE OF WORK. </p>
<p>3. Write full name of person in whose name as "Author," or "Proprietor" the claim of copyright is to be recorded, and state legal residence. DO NOT The notice of copyright on every copy of the article must have name of claimant printed in exactly the form written here, for example: Copyright, 190... by..... (Here insert year.) (Here insert full name of claimant.)</p>	<p>3. NAME OF CLAIMANT OF COPYRIGHT, AND LEGAL RESIDENCE. Name,..... Residence,..... (City.) (State.)</p>
<p>4. If a Book, Chromo, Lithograph, Photograph, or Periodical, state in what country the article is to be printed or produced. See below. This information is not obligatory in the case of other copyright articles, but is desirable.</p>	<p>4. COUNTRY IN WHICH THE ARTICLE IS TO BE PRINTED OR PRODUCED. </p>
<p>5. If in Space 3 the name of the author is given, write opposite the word AUTHOR. If in Space 3 the name of the proprietor is given, write opposite the word PROPRIETOR.</p>	<p>5. FORM OF CLAIM. </p>
<p>6. If the author, composer, or designer is living, state citizenship and residence; if dead, state nationality when living. If naturalized citizen of the United States, so state. It is not necessary to divulge the name and residence of any author who is not also the claimant of the copyright. It is OBLIGATORY TO INDICATE THE NATIONALITY. The meaning of the word "nationality" in this case is the country to which the applicant now owes allegiance by birth or naturalization.</p>	<p>6. NAME OF THE { AUTHOR TRANSLATOR EDITOR } AND OF THE COUNTRY OF WHICH HE IS NOW A CITIZEN OR SUBJECT. Name,..... (May be withheld if desired.) Residence,..... (May be withheld if desired.) NATIONALITY, { Name of country of which he is now a citi- zen or sub- ject. } [MUST BE GIVEN.]</p>
<p>7. State, if desired, specifically upon what copyright protection is claimed, e. g., "Preface," "Notes and Emendations," "Illustrations," "New matter added in new edition," etc.</p>	<p>7. SPECIFICATION OF NATURE OF CLAIM OF COPYRIGHT. </p>
<p>8. Give name of person to whom reply is to be sent, together with full address.</p>	<p>8. NAME AND ADDRESS TO WHOM REPLY IS TO BE MAILED. Name,..... Address,..... </p>

SPECIAL NOTICE.—In the case of a book, photograph, chromo, or lithograph, the two copies required to be deposited must "be printed from type set within the limits of the United States, or from plates made therefrom, or from negatives, or drawings on stone made within the limits of the United States, or from transfers made therefrom."

APPLICATION FOR COPYRIGHT REGISTRATION.

FORM

B

ORIGINAL
WORKS OF
ART.

Date,

To the Register of Copyrights, Washington, D. C.:

Inclosed find \$..... cents in money order, which you are requested to apply as follows:

- (a) As the statutory fee for recording the accompanying description, \$..... cents.
- (b) As the statutory fee for a copy under seal of such record (Certificate), fifty cents.

Name, in full, and address of applicant.

Name,

Street and Number,

Town and State,

Please read the following directions with care and fill in the required information with exactness in order to avoid delay in your copyright business.

<p>1. Use only one of these five designations: 1—PAINTING; 2—DRAWING; 3—STATUE; 4—STATUARY; 5—MODEL or DESIGN INTENDED TO BE PERFECTED AS A WORK OF THE FINE ARTS.</p> <p>USE NO OTHER TERMS THAN THE ABOVE.</p>	<p>1. NATURE OF ARTICLE.</p> <p>.....</p>
<p>2. Write full name of person in whose name as "Author" or "Proprietor" the claim of copyright is to be recorded, and state residence.</p> <p>The notice of copyright on every copy of the article must have name of claimant marked in exactly the form written here.</p> <p>Copyright,, by</p> <p>(Here insert year.) (Here insert full name of claimant.)</p>	<p>2. NAME OF CLAIMANT OF COPYRIGHT, AND RESIDENCE.</p> <p>Name,</p> <p>Residence,</p>
<p>3. Write here an abbreviation of the accompanying title, sufficient to identify the full description required to be written below.</p> <p>One blank will serve for more than one title or description if the information asked for on pages 1 and 2 of the blank is equally applicable to each.</p>	<p>3. TITLE OF WORK.</p> <p>.....</p>
<p>4. If the author, artist, or designer is living, state citizenship and residence; if dead, state nationality. If naturalized citizen, so state.</p> <p>It is not necessary to divulge the name and residence of any author, artist, or designer who is not also the claimant of the copyright, but it is OBLIGATORY TO INDICATE THE NATIONALITY OR CITIZENSHIP.</p>	<p>4. NAME AND NATIONALITY OF AUTHOR, ARTIST, OR DESIGNER.</p> <p>Name, [May be withheld if desired.]</p> <p>Residence, [May be withheld if desired.]</p> <p>Nationality, or } Citizenship. } [MUST BE GIVEN.]</p>
<p>5. State whether copyright is claimed as Author or Proprietor.</p> <p>Write in one only of these two legal designations, and use no other term or terms.</p>	<p>5. FORM OF CLAIM.</p> <p>.....</p>
<p>6. Give name of person to whom reply is to be sent, together with full address.</p>	<p>6. NAME AND ADDRESS TO WHOM REPLY IS TO BE MAILED.</p> <p>Name,</p> <p>Address,</p>

DESCRIPTION.

Write or typewrite here a brief description of the PAINTING, DRAWING, STATUE, STATUARY, or MODEL or DESIGN INTENDED TO BE PERFECTED AS A WORK OF THE FINE ARTS. The description must, however, be sufficiently full to completely identify the article.

.....

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.....

.....

FILING THE TITLE.

Printed or
typewritten title
must be filed.

The first step to be taken in order to secure copyright protection, according to law, is the transmission to this office of a *printed copy of the title of the book or other article*. (Revised Statutes, section 4956.) The copying of such title page into the record books of the Copyright Office becomes the recording of the claim of copyright. The requirements of the statute are definite, and it is incumbent that they shall be exactly complied with. If, therefore, no title is sent, no entry can be made.

Formal appli-
cation should be
made.

Formal application for copyright should be made by filling up the application blank in accordance with the directions printed on it and mailing it with the required fee, addressed: THE REGISTER OF COPYRIGHTS, COPYRIGHT OFFICE, LIBRARY OF CONGRESS, WASHINGTON, D. C. The application should always be accompanied by

Printed title
should be sent.

a title page. Preferably a *printed* title of the book or other article should be sent; or, in lieu thereof, a third copy of the article. But if this can not be done, the title should be *typewritten* on page 3 of the blank, and should be worded exactly as it is proposed to print the title of the published book, or other article. The copyright law distinctly requires the filing of a "printed" title, and if a typewritten title is sent it is accepted at the risk of the sender. *Written titles can not be accepted.* Sending two copies of a book or other article is *not* a compliance with the requirement of the law that a title *and* two copies are to be sent, but *three* copies will serve, if such copies bear the printed title.

Music titles.

In the case of music, preferably the *printed title cover* of the music should be sent when this contains a complete title, with names of author of the words and composer of the music; or, in lieu thereof, a *third* copy of the piece of music. But if this can not be done, the complete title should be *typewritten* on blank page of the application form. If several typewritten titles are to be sent with one application, they can be put upon page 3 of the application blank, 1 inch apart, so as to allow the date and number stamp to come between. Typewritten titles are accepted upon the sole responsibility of the sender.

Arrangements
of music.

In the case of music published and sold in different editions *arranged for different instruments*, the title of each arrangement should be forwarded for record, and

should be a complete printed title distinctly denoting the arrangement or instrumentation. In such cases, it is the name and nationality of the author of the arrangement, not of the original composer of the music, which should be stated. In the case of musical compositions published in various keys the prudent course, also, is to register the title of each separate edition of the music printed, with a statement of the key.

In the case of a painting, drawing, statue, statuary, or a model or design for a work of the fine arts, in lieu of, or in addition to the title, if there is one, a *description* is required to be sent, and a *photograph* to be filed. This photograph is required for identification, and should be a photograph taken directly from the work of art, and not a print, half-tone, photogravure, or any other kind of reproduction.

For any of these productions use Application form B.

Great care should be taken to send the required title or description for record *before the publication* or distribution of any copies of the article which it is desired to copyright. The law states explicitly (section 4956, Revised Statutes) that "*No person shall be entitled to a copyright unless he shall, on or before the day of publication in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or chromo, or a description of the painting, drawing, statue, statuary, or a model or design, for a work of the fine arts, for which he desires a copyright.*"

DATE OF REGISTRATION OF TITLE.

All titles are recorded under the date of their receipt in the Copyright Office. This course is obligatory, and requests to give dates to the title records anterior to actual receipt of titles can not be acquiesced in. If, for special reasons, it is desired to have a title recorded on a certain date, it is incumbent on the person sending it to forward title and proper application sufficiently early to insure their receipt at the Copyright Office on or before the date named.

On such days as by law are legal holidays in the District of Columbia, the Copyright Office is not open and no

registrations are made. In arranging for days of simultaneous publication these days or dates should be avoided. The following are legal holidays under which dates no entries will be made: The first day of January (New Year's day), the twenty-second day of February (Washington's birthday), the fourth day of March (each fourth year, Inauguration day), the thirtieth day of May (Decoration day), the fourth day of July (Independence day), the first MONDAY in September (Labor's Holiday), the twenty-fifth day of December (Christmas day). In addition, any day appointed or recommended by the President as a day of public fast or thanksgiving, becomes a legal holiday on which date no registrations are made. The last Thursday in the month of November is thus appointed Thanksgiving day, and no copyright entries are made on that day. In case any one of these holidays falls upon Sunday, the next succeeding Monday is considered the legal holiday, on which date no registrations are made.

WORKS IN MORE THAN ONE VOLUME.

Each volume requires separate entry.

Each number of a periodical requires separate entry.

Each variation requires separate entry.

Each pose of photograph requires separate entry.

In the case of works published in parts or volumes, the title of each part or volume should be recorded as if an independent work. Of newspapers, magazines, or other periodical publications, the title for each number, *distinguished by volume, number, and date*, is required to be filed as if it were a distinct work.

In the case of engravings, photographs, or other articles published with variations, or music in different arrangements, a title is required to be recorded for each variety, and must be so worded as to clearly differentiate the different editions or issues. Each pose, in the case of a photograph, requires separate entry under some distinguishing title, number, or mark.

Regarding the registration of periodicals, see page 19.

WHO CAN APPLY FOR COPYRIGHT REGISTRATION.

The author or his assigns can obtain copyright.

Assigns of author privileged to copyright.

1. The *author* of any literary, musical, dramatic, or artistic work, who is a citizen of the United States, or a subject of any country to whose citizens the United States has extended the benefits of copyright, is privileged to obtain copyright in the United States. 2. Any person to whom an author, *who has the privilege of copyright in the United States*, has transferred his copyright can apply for and obtain copyright entry as a "proprietor." 3. The executors or administrators of any qualified author. 4. A

translator, and the editor, compiler, dramatizer, or abridger of a work, may, under the copyright law, be considered as the author of the translation, the compilation, the dramatization, or the abridgment, and can apply for and obtain copyright registration. Translator, editor, dramatizer, or compiler.

5 The mere *possession* of a book, either in manuscript or printed form, does not of itself give the possessor the privilege of copyright registration.

DEPOSIT OF COPIES.

The second step required to be taken to complete a copyright is the deposit of *two* copies of the article for which the title has been recorded. This should be made before the publication or distribution of any copies of the article, the law explicitly providing that "*No person shall be entitled to a copyright unless he shall also, not later than* Deposit of copies.
5 *the day of the publication thereof, in this or any foreign country,* deliver at the office of the Librarian of Congress, at Washington, District of Columbia, or deposit in the mail, within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, two Must be before publication.
10 copies of such copyright book, map, chart, dramatic or musical composition, engraving, chromo, cut, print, or photograph, or, in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of the same."

15 Unless this deposit is made, a penalty of \$25 is incurred. Penalty for noncompliance, \$25.
Two copies are required, and they must be complete TWO copies required.
copies of the best edition. The original words of the Revised Statutes (section 4959) before the passage of the act of March 3, 1891, are: "Two complete printed copies
20 thereof, of the best edition issued." In the case of books, the copies must be printed from type set within the limits of the United States. Photographs must be prints from Books, photographs, chromos, and lithographs must be made in the United States.
negatives made in the United States, or from transfers made therefrom, and chromos and lithographs from draw-
25 ings on stone or transfers therefrom made in the United States.

When a book is published serially in a periodical, *two* copies of each number of the *magazine* containing it should be deposited, and if afterwards published as a complete Book published in periodical.
30 work, then two copies of the completed book should be deposited.

In the case of a *new edition* the law requires the deposit of *one* copy. (Revised Statutes, section 4959.) One copy of new edition required.

Copies should
be marked.


When sending the copies, please see that they are plainly marked with the distinguishing title of the article and the name and address of the sender. It is impossible to keep track of articles not bearing titles or other distinguishing marks in an office receiving more than three thousand articles each week. In any letter referring to an article sent for deposit, please name or describe the article fully and exactly.

Deposit of one
copy.

Regarding the deposit of one copy, to secure reservation of copyright for one year in the case of foreign books, see the provisions of the act of March 3, 1905, on pages 23, 24, and 25.

Regarding the deposit of plays, see page 18.

Send only TWO
copies.

All articles, such as photographs, engravings, etc., sent for deposit, should bear a distinguishing title, number, or mark. In the case of a series of photographs of the same subject, each pose should have some distinguishing mark.  Please send only the two copies required by law, and do not duplicate the transmission of copies, as doing so is of no value to the copyright protection and results in loss of time in the office. The deposit of copies should never *precede* the registration of the title.

Address.

The articles should be addressed: "The Register of Copyrights, Copyright Office, Library of Congress, Washington, D. C."

MANUSCRIPTS OR OTHER ORIGINAL ARTICLES.

Manuscripts
should not be
sent.

Manuscripts can not be accepted as deposits to complete copyright, and should not be sent to the Copyright Office. No original drawings, paintings, or statuary, or models for pottery, porcelain, or glassware; nor any original articles or devices, such as models for games, puzzles, etc., should be sent to the Copyright Office.

RECEIPT FOR COPIES DEPOSITED.

Receipt for
copies deposited.

By special provision of Congress, all articles deposited in the Library of Congress, Copyright Office, to complete entries of copyright, are catalogued and the titles published in the weekly publication entitled "Catalogue of title entries of books and other articles entered in the office of the Register of Copyrights, Library of Congress, at Washington, D. C., under the copyright law, wherein the copyright has been completed by the deposit of two copies." In this publication are given: The title of the article deposited; the name of the claimant of copyright; the date and

entry number of the record of claim of copyright; and the number and date of the deposit of the copies sent to complete the copyright.

This printed publication, therefore, is equivalent to a published receipt for copies deposited to complete copyright, and is the only form of receipt which the office is authorized by law to give; except that a certified receipt can be given upon payment of the legal fee of 50 cents.

If for special reasons, however, receipts for the deposit of copies are required, they can be given. A blank receipt card or form should be properly filled out by the sender of the article, ready for dating and signing; and be sent with the two copies of the article required by law to be delivered.

These blank receipt cards or forms will be supplied on request, and they should be so fully and carefully filled out that no question of identity can arise; otherwise no receipt can be furnished.

NOTICE OF COPYRIGHT.^a

The third step requisite to secure any valid copyright is the printing of the claim of copyright on each copy of the article protected. No copyright can be protected against infringement unless the notice prescribed by law is inserted in every copy produced. The wording of the notice is determined by the copyright statute, and must be one or other of these two forms:

a. Entered according to Act of Congress, in the year _____, by _____, in the
(Here insert date.) (Here insert full name of claimant.)

Office of the Librarian of Congress, at Washington; or,

b. Copyright, _____, by _____,
(Here insert year.) (Here insert full name of claimant.)

In the case of a book, the law prescribes that this notice shall be printed on the title-page, or the page immediately following; and in the case of other articles copyrighted the notice must be inscribed on some visible portion thereof, or of the substance on which the same shall be mounted. The date given in the copyright notice should agree with the year date of the entry of the title upon the records of the Copyright Office, and the name of the copyright claimant, as printed, should agree with the name recorded as proprietor of the copyright. A variance be-

^a NOTE.—For the notice of copyright reservation required to be printed in foreign books, deposited to secure one year's reservation of copyright, see the provisions of the Act of March 3, 1905, pages 23-25.

tween the claim as recorded and as printed upon the article would cast a doubt upon the validity of the copyright; hence care should be used to see that they agree.

PENALTY FOR FALSE NOTICE OF COPYRIGHT.

False notice of copyright. Penalty \$100.

Importation of articles bearing false claims.

The law imposes a penalty of \$100 upon any person who shall insert the notice of copyright, or words of the same purport, upon any book or other article which has not been copyrighted, *whether such article is subject to copyright or otherwise*; or who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in the United States; or who shall import any book, photograph, chromo, or lithograph, or other article bearing such notice of copyright or words of the same purport, which is not copyrighted in this country.

5
10
15

COPYRIGHT FEES.

Copyright fees.
Fee for citizen.

Fee for foreigner.

Copy of record.

Receipt for deposits.

Assignment.

Certificate of copyright.

The copyright fees prescribed by law are as follows:
For recording each title of a book, or other article, the production of a citizen or resident of the United States, the charge is fifty (50) cents. If a certificate of copyright (*i. e.*, a certificate of the entry of the title) is desired, there is an additional charge of fifty (50) cents, or \$1 in all.
For recording each title of a book, or other work, the production of a person *not* a citizen or resident of the United States, the charge is \$1. This fee of \$1 is required to be paid for recording the title of every work whose original *author* or producer is "a person not a citizen or resident of the United States," whether the proprietor of the copyright is or is not a citizen or resident of the United States. A certificate of such record requires the payment of fifty (50) cents additional, or \$1.50 in all.
For every copy under seal of the record of entry of any title, the charge is fifty (50) cents.
For a certified receipt for the deposit of the two copies required by law, the charge is fifty (50) cents.
For recording and certifying any instrument of writing for the assignment of a copyright, of ordinary length, the charge is \$1; and for each copy of an assignment, \$1.
It is optional with the copyright applicant to pay the fee for a certificate at the time of entry of title. A certificate of copyright is convenient *prima facie* evidence of copyright entry; but this document can be had in the form of a certified *copy of record* at any time subsequent to the registration of title.

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In no case should any postage stamps or stamped envelopes be sent for reply, as all Copyright-Office mail is forwarded under a Government frank.

All remittances should be by *money order* or express order, payable to the REGISTER OF COPYRIGHTS. No money (currency or coin) should be placed in any letter or package of books, music, or other matter sent to the Copyright Office; and all remitters are respectfully urged to take care to send an identifiable remittance. Postage stamps should not be sent as fees. Remittances.

TERMS OF COPYRIGHT AND RENEWAL.

The first term of copyright is for twenty-eight years from the time of recording the title in the Copyright Office. *The title is recorded on the day of its receipt in the Copyright Office*, in accordance with the provisions of the copyright statutes, and no date *prior* to the day of receipt can be given to the entry of title. For list of legal holidays, upon which days no entries can be made, see page 12. Term of copy-right.

Within six months before the expiration of the first term of copyright, the copyright statutes provide (Revised Statutes, section 4954) that the author, if he be still living, or his widow or children, if he be dead, can have the copyright continued for a further term of fourteen years. This renewal requires the filing of the title a second time, and the deposit of the two copies, exactly the same as in the case of an original copyright. The fees are also the same, but in the case of a renewal a certificate is obligatory, and this certificate must be published, for the space of four weeks, in some one or more newspapers printed in the United States. This publication of the certificate of renewal must take place within two months from its date. Renewal.

Regarding the term of one year's reservation of copyright, accorded to foreign books, see the provisions of the act of March 3, 1905, on pages 23, 24, and 25. Publication of certificate.

ASSIGNMENT OF COPYRIGHTS.

Copyrights are assignable in law by any instrument of writing. This should state the names of the assignee and the assignor, the title of the book or other article assigned; should contain a statement of "valuable consideration," and should be dated. Every assignment must be recorded in the Copyright Office within sixty days after its execu- Assignment of copyright.

tion, "in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice." (Revised Statutes, section 4955.)

The original instrument of assignment must be sent to be placed of record, and it is returned to the sender by mail after it has been recorded. If 8 cents is received it will be sent by registered mail. No blank form for assignment of copyright is issued from the Copyright Office.

Fee for recording assignment.

The fee for recording and certifying any instrument of writing for the assignment of a copyright, of ordinary

Fee for copy of assignment.

length, is \$1. The same fee is prescribed by law for each copy of an assignment.

PUBLICATION AFTER ENTRY OF TITLE.

Publication after entry.

The time of publication of any work of which the title has been recorded is not limited by the statute, but the courts have intimated that the publication should take place within a "reasonable time." The United States copyright law makes no provision for this interim period, and the inchoate right secured by the filing of the title-

Registration of title gives no monopoly of use.

page prior to publication has not been determined; but the entry of the *title*, either of a book, periodical, or other publication subject to copyright, does not secure a monopoly in the use of such title. The title is only protected as an integral part of the work which it designates; hence only the titles of specific publications are subject to copyright registration.

TRANSLATION AND DRAMATIZATION.

Translation and dramatization.

The act of March 3, 1891 (51st Congress, 2d session, chapter 565, section 1: Statutes at Large, vol. 26, p. 1107), provides that "authors or their assigns shall have *exclusive* right to dramatize and translate any of their works for which copyright shall have been obtained under the laws of the United States."

Translations.

Translations authorized by the authors or proprietors of copyrighted works, and translations of non-copyrighted books, are subject to registration in the Copyright Office as original productions, and application for copyright registration should be made as for an original work.

Dramatic compositions.

Dramatic compositions should be applied for upon printed or typewritten titles, as in the case of other literary compositions. It has been the practice of the Copyright Office to receive and credit, at the responsibility of the claimant, two *typewritten* copies of a drama, but the safer course to pursue is to file *printed* copies.

Deposit of copies of drama.

PERIODICALS.

The general title of a newspaper or periodical, apart from the contents, can not be registered for protection under the copyright law. *Each number*, therefore, of a periodical should be entered by its title, distinguished by a statement of the volume, number, and date of the issue. Application can be made for the entry, in advance, of a number of issues, by sending the printed title headings with the variations as to volume, number, and date written in, each issue requiring a separate fee and separate, complete title. If typewritten titles are sent, each title should be typewritten *in full*; and no ditto marks used. The entry of title should *precede publication*, and two copies of each issue should be sent to the Libray of Congress, *Copyright Office*, at the earliest moment after printing. Owing to the difficulty of insuring the receipt of the two copies of a newspaper in the Library of Congress *on or before the day of publication*, as required by law, it is a desirable precaution to obtain the postmaster's receipt, to serve, in case of need, as evidence of the mailing of the two copies "on or before the day of publication." (Revised Statutes, section 4961.)

Periodicals.

Each number requires separate entry.

Postmaster's receipt for mailing of two copies should be taken.

Care should be taken, in applying, that the name of the copyright claimant is stated in the same form as it is intended to print it in the notice of copyright required to be printed on each paper; and special care should be taken that the year date in the printed notice of copyright agrees with the year date of the entry of title, without regard to the date of publication of the paper.

Variance in claim should be avoided.

Date of claim on periodicals.

INTERNATIONAL COPYRIGHT.

By the act of March 3, 1891, which went into effect on July 1 of the same year, the United States Congress, by textual amendment of the then existing copyright law, removed the limitation of the privilege of copyright to citizens of the United States, and made it possible for foreign authors to obtain copyright in the United States upon the same terms as native authors, except that the fee for entry in the case of the production of a foreigner is double. Congress, however, distinctly provided that the copyright privileges secured by the act should "only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as [to] its own citizens; or when such foreign state or nation is a party to an interna-

International copyright.

Copyright privileges extended to citizens of certain countries only.

tional agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such agreement."

Foreign authors
may obtain copy-
right in U. S.

Under the operation of this provision, the privileges of copyright in the United States have been extended by Presidential proclamations as follows:

Proclamation of July 1, 1891: Belgium, France, Great Britain and her possessions, and Switzerland.

Proclamation of April 15, 1892: Germany.

Proclamation of October 31, 1892: Italy.

Proclamation of May 8, 1893: Denmark.

Proclamation of July 20, 1893: Portugal.

Proclamation of July 10, 1895: Spain.

Proclamation of February 27, 1896: Mexico.

Proclamation of May 25, 1896: Chile.

Proclamation of October 19, 1899: Costa Rica.

Proclamation of November 20, 1899: Netherlands (Holland) and possessions.

Proclamation of November 17, 1903: Cuba.

Proclamation of January 13, 1904: China. (Treaty of October 8, 1903, Article XI.)

COPYRIGHT IN FOREIGN COUNTRIES.

Foreign copy-
rights.

The benefits of copyright are available for the productions of American citizens in the countries named above, but only as they are available to the citizens of such countries. That is to say, citizens of the United States can obtain copyright abroad in the countries named, and in such other countries as by their laws grant copyright privileges to aliens, by taking the steps required by the laws and regulations in force in each country. Application should be made to the copyright bureau, or government officer charged with the administration of copyright business in each case. Owing to the diversity of the requirements, and the necessity of complying exactly with the law and the departmental regulations, the practical way is to secure the services of an agent or publisher abroad.

Application
should be made
to the foreign
copyright bu-
reau.

United States
not a member of
International
Copyright Union.

As the United States is not a party to the International Copyright Union, copyright protection is not secured abroad by virtue of copyright registration in this country. *Entry of copyright at Washington gives protection to the copyright only within the United States.* Moreover, the copyright office of the Library of Congress has no official functions as regards the securing of copyrights abroad, and can take no action regarding such foreign copyright protection.

HAWAII, PORTO RICO, CUBA, AND THE PHILIPPINES.

In regard to the privilege of copyright in the United States on behalf of the natives of Hawaii, Porto Rico, Cuba, and the Philippines, the opinion of the Attorney General, December 2, 1898, was as follows:

Hawaii, Porto Rico, Cuba, and the Philippines.

"It appears that the subjects of Hawaii had not prior to the passage of the resolution of annexation of July 7, 1898, become vested by proclamation with the privilege of copyright in the United States. I have heretofore held, in an opinion, that certain laws of the United States relative to tonnage dues upon vessels from foreign ports still applied to the ports of Hawaii, and had not been abrogated by the terms or effect of the resolution of annexation. For the reasons given in that opinion, I think that the inhabitants of Hawaii are not at present, in the absence of affirmative legislation by Congress to that effect, entitled to the benefits of our copyright laws.

Opinion of Attorney General.

"Puerto Rico, Cuba, and Manila have not as yet been formally ceded to the United States. So far as they are subject to the control and government of this country they are ruled under the principle of belligerent right. They have not become entitled to the rights and privileges of citizens of the United States. In my opinion, when they shall have been directly ceded by treaty to the United States, and such treaty duly ratified by the Senate, their respective inhabitants will not be entitled to the benefits of the copyright laws unless the treaty, by its terms, confers such right, or Congress shall afterwards extend such laws to the inhabitants of those countries."

Cuba and Manila.

On July 14, 1903, the question was submitted to the Attorney General as to whether the provision of the act of March 3, 1891, relative to American manufacture is complied with if the copies of books, photographs, chromos, and lithographs required to be deposited under the copyright law are manufactured in the Philippines. The opinion of the Acting Attorney General, Henry M. Hoyt, rendered July 28, 1903, was to the effect that the question presented should be answered in the negative.

Copies type set in the Philippines not a compliance with law.

PORTO RICO AND HAWAII.

Since the above opinion of the Attorney General was written an "Act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," was approved April 12, 1900, to go into effect on May 1; and an "Act to provide a government for the Territory

Porto Rico and Hawaii.

of Hawaii," was approved April 30, 1900, to take effect on June 14. Under the provisions of these acts the titles of books and other articles by citizens of Porto Rico and Hawaii have been registered in the Copyright Office since May 1 and June 14, respectively, as a preliminary to copyright protection.

CUBA.

Cuba. Cuba was established as an independent Government on May 20, 1902, and a proclamation by the President of the United States was issued on November 17, 1903, to the effect that satisfactory official assurances having been given that in Cuba the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to citizens of Cuba, the benefits of the copyright laws of the United States have been extended to such citizens of Cuba as are the authors of literary and artistic productions, and their heirs, executors, and assigns.

SPAIN.

Spain, copy-right relations suspended during war. The war with Spain suspended the privilege of copyright in the United States for the productions of Spanish subjects. Concerning the renewal of the privilege, the Attorney General expressed the following opinion, under date of December 2, 1898: "When a treaty of peace shall have been finally concluded, their rights will be determined either by the provisions of the treaty or, if the treaty be silent, it will be competent for the United States, through its executive officers, to resume the exercise of such rights and privileges as previously existed and have not been definitely declared terminated. So that if the treaty be silent with reference to copyright, it would, in my opinion, be entirely proper for the Librarian of Congress to admit Spanish subjects, after the conclusion and ratification of the treaty, to the same copyright privileges that they enjoyed prior to the declaration of war." Under the above opinion of the Attorney General, registration of titles of works by citizens of Spain has been resumed since April 11, 1899.

Copyright relations renewed.

CHINA.

China. The treaty between the United States and China for the extension of commercial relations, signed October 8, 1903, proclaimed January 13, 1904, provided in Article XI that all American citizens who are the authors, designers, or proprietors of any books, maps, prints, or engravings especially prepared for the use and education of the

Chinese people, or translations into Chinese of any books, shall have the exclusive right to print and sell such books or other articles in the Empire of China during ten years from the date of registration. Only the articles enumerated, prepared as specified, can secure protection in China. Under this article the citizens of China can obtain copyright protection for their works in the United States upon the same stipulations as those which apply to American authors.

INTERIM COPYRIGHT ACT OF JANUARY 7, 1904.

Under the act of January 7, 1904, copyright protection was granted for any book, map, etc., and for any work of the fine arts produced abroad and exhibited at the Louisiana Purchase Exposition at St. Louis in 1904, upon compliance with the provisions of the act as to deposit of copy, payment of fee, etc. A protection for two years from the date of receipt of the book or other article in the Copyright Office was thus secured, and if during such two years, in the case of books, chromos, lithographs, and photographs, the authors or their assigns printed or produced editions of such works, respectively, from type set, drawings on stone, or negatives made within the limits of the United States, the period of copyright protection was extended for the full terms provided by the present copyright laws. Registrations under this act ceased on November 30, 1904.

ACT OF MARCH 3, 1905.

Congress has passed a law, approved March 3, 1905, enacting provisions whereby the foreign author of a book in some language or languages other than English is granted a year during which to comply with the present requirements of law as to registration of title, deposit of two American type-set copies, printing of notice, and payment of fee, provided that within thirty days from the first publication of his book abroad he deposits one copy of such book in the Library of Congress, and prints in all copies of such edition the notice of reservation of copyright provided in the act. Following are directions for taking action under the new law:

DIRECTIONS.

I. WORKS PROTECTED.

The protection accorded by this act is only applicable to books produced (subsequent to the date of the act) in some language other than English.

Books previously published, if issued in new editions containing new matter, may secure protection for the new matter contained therein.

II. AUTHORS BENEFITED.

The privileges secured by the act are available in the case of books in languages other than English when the authors or proprietors of such books, or their executors, administrators, or assigns, are citizens or subjects of any of the following coun-

tries: Belgium, Chile, China, Costa Rica, Cuba, Denmark, France, Germany, Great Britain and her possessions (including Australia, Canada, India, New Zealand, etc.), Italy, Mexico, the Netherlands (Holland) and possessions, Portugal, Spain, and Switzerland.

III. HOW RESERVATION OF COPYRIGHT MAY BE SECURED.

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In order to insure the benefits available under this act, the following measures are required to be taken:

1. Print upon all copies of the original edition of the book desired to be protected—
 - a. The true date of first publication.
 - b. The name of the person reserving the privilege of copyright as proprietor of the work.

This notice must be printed in the following form, and no other:

"Published —— [here insert the true date of first publication of the book].
 Privilege of copyright in the United States reserved under the act approved
 March 3, 1905, by —— [here insert the true legal name of the author or
 proprietor]."

This notice must be printed on the title-page or on the back of the title-page.

2. One copy of the book must be sent, by post or otherwise, addressed
**Library of Congress (Copyright Office), Washington, D. C., United States
 of America.**

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This copy must be complete, with all illustrations, maps, etc.

It must be sent so as to reach the Library of Congress, Washington, D. C., U. S. A., within thirty days after first publication abroad; otherwise the desired protection can not be secured.

It must be sent with all charges prepaid.

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The book should be accompanied by a statement that it is sent under the provisions of the act of March 3, 1905, in order to justify the claim of the reservation of copyright. This statement should preferably be made upon the printed form supplied with this circular. The statement should contain the full legal name of the copyright claimant, the title of the book, the date of first publication, and the claim for reservation of the copyright. If the printed form of application is used, the Post-Office authorities state that the copy and application can be sent together, under the postage rate for commercial papers, namely, five cents for the first ten ounces or less and one cent for each two additional ounces or fraction thereof. If the printed form is not used, the same statements should be supplied in the form of a letter, but should then be sent sealed by letter post.

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[No fee is required to be sent with the copy of the original edition of the book.]

Exact compliance with the above directions will secure for a period of twelve calendar months from the date of first publication—

- a. Protection against any infringement or appropriation of the work in any way, including unauthorized translation of it.
- b. Free access to the United States market for the sale of the work.

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Under the laws in force, if printed wholly in some language or languages other than English, no customs duties will be required to be paid. If partly printed in English, however, an *ad valorem* duty of twenty-five per cent will probably be charged.

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IV. HOW COPYRIGHT FOR FULL TERMS MAY BE SECURED.

Having complied with all the above-described stipulations, and thus secured protection for the interim term of twelve calendar months after the date of first publication of the book, in order to obtain the full benefit of the privileges of the copyright laws now in force the following steps are required to be taken:

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1. The work must be type-set in the United States either in the original language or in a translation into English. See also pages 6 and 13.

2. All copies of either the translation or the original thus printed in the United States must bear on the title-page, or the page immediately following, a notice of copyright in one or the other of the following forms: "Entered according to act of Congress, in the year —, by A. B., in the office of the Librarian of Congress, at Washington," or "Copyright, 19—, by A. B." See also page 15.

3. The title-page of either the original work, as re-issued in the United States, or the title-page of the translation into English, as produced in the United States, must be filed in the Copyright Office, at Washington, D. C., on or before the day of the publication of the American edition of the original work or of the translation.

4. The title-page sent for filing should be accompanied by a formal application desiring registration of the work for copyright protection and the fee provided by law, namely \$1.00; and if a certificate of registration is desired, fifty cents additional. See also pages 8 and 16.

5. Two copies of the American edition of the original work, or two copies of the American edition of an authorized translation of it, must be deposited in the Copyright Office at Washington not later than the day of publication of such issue in the United States of the original or of the translation.

6. If the work is reproduced in the language of the original by type-setting within the limits of the United States, or if a translation of it into English is so produced, and the other formalities indicated above are carefully complied with, protection is secured for a term of twenty-eight years from the date of the recording of the title of the book, or of the English translation of it; and within six months before the expiration of the twenty-eight years the privilege of renewing the copyright for fourteen years additional reverts to the author, his widow, if he is not living, or to his children.

CARD CERTIFICATES.

Since the transference of the copyright business to the Library of Congress in 1870 the certificate of copyright registration has been written on a quarto blank form, measuring $8\frac{1}{2}$ by $11\frac{1}{2}$ inches. It is conceivable that in the case of copyright claimants who are registering copyrights with frequency and have done so for a series of years—such as the leading publishers of books—the accumulation of these certificates will have been found to be troublesome to keep and difficult to arrange so as to enable prompt and convenient reference to the certificate for any particular book.

It has been thought that in such cases a more compact certificate form, and one which can be more conveniently arranged for ready reference, might prove welcome, and in order to test the matter certificate forms on cards have been prepared, which while retaining the exact wording prescribed by the copyright statute, with spaces for the autograph signature of the Register of Copyrights and the Copyright Office seal, are so planned that the name of the author of the book entered can be written at the top of the card, and thus permit the certificate cards to be arranged for ready reference alphabetically under the names of the authors of the works registered.

The form of the card certificate is printed below, with the title of a book ~~actually~~ registered, so as to show the approximate size and appearance of the card.

Author's Name	Class A, Xxc. No. <u>67269</u>
<i>Bryant, William Cullen.</i>	<u>Aug. 29</u> , 1903.
LIBRARY OF CONGRESS, TO WIT:	
Be it remembered, That on the <u>29th</u> day of <u>August</u> , 1903,	
<i>D. Appleton and Company</i>	
of <u>New York, N. Y.</u> , have deposited in this Office	
the title of a Book, the title of which is in the following words, to wit:	
<i>The Poetical works of William Cullen Bryant. Reprint ed. with chronologies of</i>	
<i>Bryant's life and poems and a bibliography of his writings by Henry C. Sturges and</i>	
○	
[SEE OVER.]	
<i>a memoir of his life by Richard Henry Stoddard. New York, D. Appleton and</i>	
<i>Company, 1903.</i>	
the right whereof they claim as proprietors in conformity with the laws of the United States respecting copyrights.	
	HERBERT PUTNAM, <i>Librarian of Congress.</i>
	By
SEAL HERE	○
A ²	<i>Register of Copyrights.</i>

These card certificates of registration are prepared for books, as shown above, and another form of card is also printed with a blank space left for the designation of the article, so that it can be used for any one of the classes of articles subject of copyright, by simply filling in the space with the proper class word.

In addition to the card certificate just described a certified card receipt for deposit of two copies has also been devised to take the place of the large 8½ by 11½ inch document formerly used. This, just as

the registration certificate, contains all the required data and in addition affords a blank line at the top of the card for the author's name, to admit of convenient indexing.

With a desire to further aid publishers a third card for noncertified receipts of copies deposited is also provided. In this case the card is planned to permit all the data to be furnished on one side of the card, which is printed on green paper, and supplied with the usual blank line at the top for author's name and title.

Facsimiles of the two receipt forms are given below:

1. CERTIFIED RECEIPT: FRONT AND BACK OF CARD.

Author's Name,

Class A, XXc. No.

....., 190 ..

LIBRARY OF CONGRESS—COPYRIGHT OFFICE. WASHINGTON, D. C., ..., 190 ..

I hereby certify that two copies of the Book entitled:

were deposited in this Office by
 on the day of, 190 .., and were credited
 on entry XXc. No. of Class A, 190 .., to complete copyright.
 In witness whereof the seal of the Librarian of Congress has been hereto
 affixed, this day of, 190 ..

HERBERT PUTNAM,
Librarian of Congress.

SEAL
 HERE

○ By

Register of Copyrights.

2. NONCERTIFIED RECEIPT ON GREEN CARD.

LIBRARY OF CONGRESS—COPYRIGHT OFFICE. WASHINGTON, D. C., ..., 190 ..

The undersigned hereby acknowledges the receipt of two copies, received...
, of a
 entitled:

transmitted to the Library of Congress as copyright deposits.

Class XXc. No.

HERBERT PUTNAM,
Librarian of Congress.

....., 190 ..

○ By

Register of Copyrights.

A fourth card, of the same size and shape, printed on pink paper, has been devised on which to acknowledge the receipt of copyright fees. This last card completes the record in regard to any book, as far as the forms supplied by this Office are concerned, but a number of publishers have in addition, at their own expense, devised a fifth card of the same size but on still another color of paper (yellow), on which to secure postmaster's receipt. 5

These cards are all of the standard library size, namely, 3 by 5 inches, and are perforated in the usual way. This permits their ready and safe arrangement in the ordinary library card trays or cases of drawers, such as are kept in stock and sold by the manufacturers of library supplies, the perforation of each card enabling it to be locked into the tray or drawer, so that while readily consulted and read, it can not be displaced. 10

ARTICLES NOT SUBJECT TO COPYRIGHT REGISTRATION. 15

Articles not subject to copyright registration. The following articles, frequently applied for, are *not* subject to copyright registration in this office under the copyright law and decisions of the courts:

Account books.	Cards (postal).	
Advertisements.	Cards (score).	20
Advertising devices.	Catchwords.	
Advertising novelties.	Checks.	
Albums.	China.	
Articles of manufacture.	Coats of arms.	
Articles subject to patents for designs.	Coined words or names.	25
	Contracts.	
	Corporations.	
Badges.	Coupons, or coupon systems.	
Ballots.	Crests.	
Bank notes.	Crockery.	30
Banners.	Cuts for advertisements.	
Betting books.	Cuts for articles of manufacture.	
Blank agreements.		
Blank books.	Dances.	
Blank cards.	Decorative articles.	
Blank forms.	Designs for badges or buttons, etc.	35
Blank price lists.	Devices.	
Bonds.	Dollar advertisements.	
Book covers.	Dolls.	
Books for minutes of societies.	Drafts.	
Borders.	Earthenware.	40
Box covers.	Election tickets.	
Business names.	Emblems.	
Buttons.	"Endless chains."	
Calendars.	Engravings of manufactured articles.	45
Campaign medals.	Envelopes.	
Cards (identification).		
Cards (playing).	Fancy articles.	

Fans.
Flags.
Form of words.

Games.

5 Government publications.
Gummed labels.

Ideas.
Identification cards.
Indecent pictures.

10 Insignia.

Labels. (See below.)
Labels (gummed).
Letter heads.

Mailing cards.

15 Manufactured articles.

Mechanical devices.

Medals.

Medicines.

Memorandum books.

20 Mere names, words, or phrases.

Names (business).
Names (coined).
Names of articles.
Names of companies.

25 Names of corporations.

Names of libraries.

Names of medicines.

Names of products.

Names of substances.

30 Names (professional).

Names (stage).

Note headings.

Notes (promissory).

Novelties.

35 Obscene pictures.

Ophthalmic test cards.

Ornamental articles.

Ornaments.

Pads.

40 Paper hangings.

Paper weights.

Pass books.

Patterns.

Pedigree blanks.

Phrases or words.

Postal cards.

Pottery.

Prints for articles of manufacture.

(See below.)

Prints (indecent or obscene).

Private mailing cards.

Professional names.

Promissory notes.

Public documents.

Puzzles.

Record books.

Regalia.

Scenery (stage).

Score books.

Scrap books.

Scrolls.

Seals.

Signs.

Specialty acts.

Stage business.

Stage curtains.

Stage scenes, or scenery.

Stamps.

Stickers.

Systems.

Tablets.

Test (ophthalmic) cards.

Tickets of any kind.

Time books.

Titles, as such.

Titles of libraries.

Titles of newspapers.

Titles of series.

Trade-marks.

Utensils.

Words (coined).

Words or phrases.

Wrappers for articles to be sold.

Ideas, methods, schemes, and systems as such are not subject to registration for copyright protection. Ideas, methods, etc., not subject to copyright.

LABELS AND PRINTS FOR ARTICLES OF MANUFACTURE.

45 Labels are not entered for copyright in the Library of Congress, but under the operation of the act of June 18, Labels and prints.

1874, are required to be registered at the Patent Office. This act also defines the words "print," "cut," and "engraving," as used in the copyright law, as only applicable to pictorial illustrations or works connected with the fine arts. Only such prints or engravings, therefore, as are intended to be used as illustrations of a book, or which are of a distinctly artistic nature, such as are sold, used, or exchanged for their artistic value, are registrable in this office; and by the above act is relegated to the Patent Office "all registry in the general nature of, or akin to, copyright of things which are mere adjuncts or appurtenances of articles of trade." (See *ex parte Heinz Co.*, Official Gazette, Patent Office, v. 62, p. 1064.)

Patent Office
rules.

The last edition of the "Rules of the Patent Office" contains the following information regarding the registration of prints for copyright in the Patent Office, under the operation of the act of June 18, 1874:

"The word 'print,' as used in section 3 of the copyright act, so far as it relates to registration in the Patent Office, is defined as an artistic and intellectual production designed to be used for an article of manufacture, and in some fashion pertaining thereto but not borne by it; such, for instance, as an advertisement thereof.

"No print can be registered unless it properly belongs to an article of manufacture and is descriptive thereof, and is as above defined, and unless the application is filed before publication thereof.

"To entitle the author or proprietor of any such print to register the same in the Patent Office, the application for registration thereof must be made to the Commissioner of Patents, and the said application should be signed by the author or proprietor, or for the author or proprietor, by a duly authorized agent.

"A complete application comprises—

"(a) A statement addressed to the Commissioner of Patents, disclosing applicant's name, nationality, and place of doing business; whether author or proprietor, and, if proprietor, a disclosure of the nationality of the author; the title of the print, and the name of the article of manufacture for which the print is to be used.

"(b) Ten copies of the print, one of which, when the print is registered, shall be certified under the seal of the Commissioner of Patents and returned to the author or proprietor.

"A certificate of such registry shall remain in force for twenty-eight years from its date.

"The certificate may be continued for a further term of fourteen years upon filing a second application within ^{Renewal of copyright of print.} six months before the expiration of the term of the original certificate, and complying with all other regulations with regard to original applications. Within two months from the date of said renewal the applicant must cause a copy of the record thereof to be published for four weeks in one or more newspapers printed in the United States. The fee for registration of a print or label is \$6."

BLANK BOOKS AND BLANK FORMS.

The term "book," as used in the copyright law to designate an article subject to copyright protection, means a book in the literary sense, and not in the material sense alone. A single sheet, if a literary composition, may be termed a book in applying for copyright registration, but printed productions which are partly unfinished, or with arranged spaces to be filled in, such as blank forms, account books, ledgers, memorandum books, diaries, time and score books, etc., are not productions which can be designated "books," and registered as such for copyright protection. The book whose title can be recorded for copyright protection must be a completed literary production, all copies of which are alike, and not a work with blank spaces such that each copy when completed is different from another copy. It was held in the case of *Everson* ^{78. The Librarian of Congress.} ^{Blank book.} The Librarian of Congress (decided April 12, 1898; reported in 26 Washington Law Reporter, p. 546) that the latter official could not be required to record the title of a book of blank forms as a preliminary to copyright protection, and the decision in that case is held to be ruling upon the Copyright Office to exclude from registration all articles such as are described above.

COPYRIGHT OFFICE AN OFFICE OF RECORD.

The Copyright Office is purely an office of record; it does not "issue" a copyright, but merely records a claim ^{Copyright Office an office of record} to copyright protection. The copyright statutes explicitly state how the claim is to be recorded; namely, in the following words:

"Library of Congress, to wit:

Be it remembered that on the day of
A. B., of hath deposited in this office

the title of a book (map, chart, or otherwise, as the case may be, or description of the article), the title or description of which is in the following words, to wit: (here insert the title or description) the right whereof he claims as author (originator, or proprietor, as the case may be), in conformity with the laws of the United States respecting copyrights." Whether a compliance with the statutory provisions as to registration of title, deposit of copies, and publication of notice of copyright secures a valid protection depends upon facts which the Copyright Office has no authority to weigh or consider. Every application received, properly made out, and for an article named in the copyright law as subject to copyright protection, if accompanied with the prescribed fee, is registered in its turn, and the office is not permitted to give any consideration to conflicting claims. Duplicate applications in behalf of the same person, if detected, are not registered, but the duplicate fee is returned. The office can not, however, undertake to identify all duplicate applications, as doing so would cost the Government more than the result would justify. The application forms issued by the Office are printed in copying ink, so as to enable each applicant to keep press copies of all applications made. A record once made can not be altered or annulled, nor can the fee applied for any record be refunded or used for any other registration.

All applications recorded.

Replies to inquiries.

A copy of any Bulletin or Information Circular of the Copyright Office with a particular section or paragraph marked, sent to any person making an inquiry, is intended as a respectful answer by this Office.

THE FRANKING PRIVILEGE.

During the summer of 1904 the question was raised as to the free transmission through the mails of mail matter addressed to the Copyright Office by the correspondents of the Office, including copyright applications, remittances, deposits, etc., which had been permitted for the last thirty-seven years. On July 15, 1904, a decision was rendered by the Assistant Attorney-General for the Post-Office Department adverse to this practice. Action by the post-office authorities was postponed in this matter until possible legislation could be secured, but pending a final decision the Copyright Office was asked to notify its correspondents of the possible suspension of the privilege, and to advise them, under the circumstances, to fully prepay all mail sent to the Copyright Office. In the absence of any amendatory legislation on this subject, an appeal was made to the Attorney-General of the United States, who, on March 8, 1905, sustained the previous decision.

In view of the above the correspondents of the Office are warned that mail matter addressed to the Copyright Office should be prepaid to avoid possible detention in the post-office, thereby causing great inconvenience and a possible jeopardizing of the copyright protection by reason of a too tardy arrival of title or deposit in this Office. Care is urged to see that the *full amount* of postage is affixed to each envelope and parcel.

Printed addressed labels, without the printed frank, are still supplied by the Office to assist its clients. Application blanks, with the necessary information supplied in writing, should be sent as first-class matter, at the rate of 2 cents per ounce, while copies of books or other articles can be sent as third-class matter, at the rate of 1 cent for 2 ounces. Third-class matter includes printed books, engravings, cuts and prints, lithographs, maps, music, photographs, etc., and should be wrapped so that the contents of the package can be easily examined. Typewritten plays, sent for deposit, would be classed as first-class matter.

It is still earnestly desired that the clients of the Office, whenever possible, shall place the envelope containing the application, and the package containing the copies of the article in the **SAME MAIL**, each distinctly marked with the name and address of the sender, so that prompt and accurate connection may be made between the two.

CUSTOMS REGULATIONS AS TO IMPORTATION OF COPYRIGHT ARTICLES, 1900

ENTRY OF IMPORTED MERCHANDISE: COPYRIGHTED BOOKS AND OTHER ARTICLES.

ART. 613. Copyrighted books and articles, the importation of which is prohibited by section 4956, Revised Statutes, as amended by section 3 of the act of March 3, 1891, shall not be admitted to entry. Such books and articles, if imported *with* the previous consent of the proprietor of the copyright, shall be seized by the collector of customs, who will take the proper steps for the forfeiture of the goods to the United States under section 3082, Revised Statutes.

Treasury Decisions 10269, Oct. 8, 1890; 11098, May 2, 1891; 11436, July 3, 1891; 11449, July 9, 1891; 11617, Aug. 11, 1891; 14898, Apr. 20, 1894; 15664, Feb. 28, 1895; 16046, May 14, 1895; 16739, Feb. 3, 1896; 17454, Oct. 13, 1896; 17885, Mar. 11, 1897; 20430, Dec. 16, 1898; 21003, Apr. 13, 1899; 21012, Apr. 17, 1899.

ART. 614. Copyrighted books and articles imported contrary to said prohibition and *without* the previous consent of the proprietor of the copyright, being primarily subject to forfeiture to the proprietor of the copyright, shall be detained by the collector, who shall forthwith notify such proprietor in order to ascertain whether or not he shall institute proceedings for the enforcement of his right to the forfeiture.

ART. 615. If the proprietor institute such proceedings and obtain a decree of forfeiture, the goods shall be delivered to him upon payment of the expenses incurred in the detention and storage and the duties accrued thereon. If such proprietor shall fail to institute such proceedings within 60 days from date of notice, or shall declare in writing that he abandons his right to the forfeiture, then the collector shall proceed as in the case of articles imported with the previous consent of such proprietor.

ART. 616. Copyrighted articles, the importation of which is not prohibited, but which, by virtue of section 4965, Revised Statutes, as amended by section 8 of said act, are forfeited to the proprietor of the copyright when imported without his previous consent, and are moreover subject to the forfeiture of \$1 or \$10 per copy, as the case may be, one-half thereof to the said proprietor and the other half to the

use of the United States, shall be taken possession of by the collector, who shall take the necessary steps for securing to the United States half of the sum so forfeited, and shall keep the goods in his possession until a decree of forfeiture is obtained, and the half of the sum so forfeited, as well as the duties and charges accrued, are paid; whereupon he shall deliver the goods to the proprietor of the copyright. Duties collected on prohibited copyrighted articles can not be refunded.

Treasury Decision 19722, July 22, 1898.

In case of failure to obtain a decree of forfeiture, the goods shall be admitted to entry.

JOINT REGULATIONS OF THE TREASURY AND POST-OFFICE
DEPARTMENTS.

ART. 617. For the purpose of carrying into effect the provision in section 4965, Revised Statutes, as amended by the copyright acts of March 3, 1891, and March 2, 1895, which prohibits the importation of musical compositions duly copyrighted thereunder, and under the authority conferred by section 4958, Revised Statutes, as amended, which provides that "the Secretary [of the Treasury] and Postmaster-General are hereby empowered and required to make and enforce such rules and regulations as shall prevent the importation into the United States, except upon the conditions above specified, of all articles prohibited by this act," the following regulations are promulgated for the government of the officers of the customs and of the postal service, viz:

Treasury Decision 19514, June 21, 1898.

ART. 618. Inasmuch as under paragraph 403, act of July 24, 1897, music in books or sheets, except in certain specified cases, is liable to customs duty, postmasters are instructed to carefully examine the mails from foreign countries and to forward all musical publications found therein to the nearest customs officer. Customs officers are instructed to keep a close watch for matter imported through the usual channels in violation of the copyright act.

Treasury Decision 20490, Jan. 4, 1899.

ART. 619. Upon the receipt of such matter from postmasters or in the usual channels, customs officers will proceed to collect, in the regular manner, the duty on all such matter as is properly admissible, and shall hold all music in books or sheets imported in violation of any copyright of the United States, and notify by mail the owner of the copyright and the owner, importer, or consignee of the prohibited articles, or the person to whom addressed.

ART. 620. If within three months from the mailing of the notice the owner of the copyright shall not institute proceedings for forfeiture of such articles under the provisions of section 4965, Revised

Statutes, as amended by the act of March 2, 1895 (28 Stat., 965), or the owner or importer of the prohibited articles, or the person to whom addressed, shall not appear and show cause to the contrary, the customs officer is directed to burn or otherwise destroy the prohibited articles.

Reprinted from "Customs Regulations of the United States Prescribed for the Instruction and Guidance of Officers of Customs. United States Treasury Department." 8°. Washington: Government Printing Office, 1900, pages 210, 211, 212.

TREASURY RULINGS AS TO IMPORTATION.

The two following decisions of the Treasury Department relating to the importation of books printed abroad from plates made from type set in the United States are of interest:

The first decision rendered October 26, 1903, deals with books wholly printed abroad from plates made from type set in the United States. The Department ruled as follows:

"The statute does not provide that books shall be printed in the United States. It merely states that the article shall be produced from type set within the limits of the United States, or from plates made therefrom. Therefore, it is the view of this Department that if the statutory requirements relating to the procurement of the copyright are complied with, and the books are printed from type set within the limits of the United States, or from plates made therefrom, the said books are not liable to the prohibitive provisions of section 4956 of the Revised Statutes as amended."

Treasury Decision No. 24742, October 26, 1903.

In the second instance, type was set up in this country and plates produced for 19 pages of introductory matter for a new edition of an English book now in the public domain. Registration of title of the book was made to secure copyright of the Introduction, and two copies of the Introduction were deposited. The plates were then shipped to England and an edition of the work produced, consisting of 19 pages of introduction, printed from American-made plates, and 412 pages of other text matter, printed wholly in England. The notice of copyright on the title-page was unqualified, and when the question of importation was submitted to the Treasury Department the following ruling was rendered:

"The natural inference is that the notice of copyright covers the entire book. Clearly, in the opinion of this Department, the books are prohibited importation into the United States by virtue of the provisions of section 3 of the act of March 3, 1891, amending section 4956 of the Revised Statutes prohibiting the importation of books bearing notice of copyright in the United States when such books are manufactured abroad." (Letter from Assistant Secretary of the Treasury, March 15, 1904.)

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The Copyright Law of the United States of America, in force March 3, 1905. Being the Revised Statutes of the United States, title 60, chapter 3 (1873), as amended by the Acts approved June 18, 1874; August 1, 1882; March 3, 1891; March 3, 1893; March 2, 1895; January 6, 1897; February 19, 1897, and March 3, 1897. With the text of the Act of January 7, 1904, and of the Act of March 3, 1905. 6th ed. 30 pp. 8°. Washington, Government Printing Office, 1905. Paper, 5c.

BULLETIN No. 3.—COPYRIGHT ENACTMENTS, 1783-1900.

Copyright enactments, 1783-1900, Comprising the Copyright Resolution of the Colonial Congress, 1783; the Copyright Laws of the Original States, 1783-1786; the Constitutional Provision concerning Copyright Legislation, and the Public and Private Copyright Laws enacted by Congress from 1790 to 1900; together with the Presidential Proclamations Regarding International Copyright. 83 pp. 8°. Washington, Government Printing Office, 1900. Cloth, 10c. Temporarily out of print.

BULLETIN No. 4.—INTERNATIONAL COPYRIGHT.

The texts of the various international conventions, proclamations of the President of the United States, and bibliography of copyright treaties now in force. In preparation.

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Rules and forms for copyright registration in Canada, together with the copyright laws of Canada, Newfoundland, New Brunswick, Nova Scotia, and Prince Edward Island. 126 pp. 8°. Washington, Government Printing Office, 1903. Paper, 5c.

BULLETIN No. 7.—FOREIGN COPYRIGHT LAWS.

A list of the foreign copyright laws now in force, with citations of printed texts and translations, etc. 81 pp. 8°. Washington, Government Printing Office, 1904. [Limited edition.] Paper, 5c.

BULLETIN No. 8.—COPYRIGHT IN CONGRESS, 1789-1904.

A bibliography, and chronological record of all proceedings in Congress in relation to copyright from April 15, 1789, to April 28, 1904, First Congress, first session, to Fifty-eighth Congress, second session. 468 pp. 8°. Washington, Government Printing Office, 1905. Cloth, 65c.

REPORT ON COPYRIGHT LEGISLATION.

Report on copyright legislation, by the Register of Copyrights, with list of United States copyright laws, Revised Statutes relating to copyright, with subsequent enactments, and list of foreign copyright laws. 159 pp. 8°. Washington, Government Printing Office, 1904. Cloth.

REVISED STATUTES RELATING TO COPYRIGHTS.

The Revised Statutes relating to copyrights, with notations of the provisions of the act of July 8, 1870, and all subsequent copyright enactments, together with a list of all the United States copyright enactments, 1783 to 1904, with notations of modifications, amendments, and repeals. 55 pp. 4°. Washington, Government Printing Office, 1904. [Limited edition.]

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E MAPS AND CHARTS.

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